

STATEMENT OF REP. JOHN CONYERS, JR.
Courts, the Internet, and Intellectual Property Subcommittee
Hearing on "Peer-to-Peer Piracy on University Campuses"
February 26, 2003

One middle-ground approach to stopping piracy seems to be working: for the industries to negotiate privately and then for the government to mandate the agreement so that it can be enforced. This already has happened with the broadcast flag issue, which revolved around how to make sure that DVD players and computers would recognize and obey the rights management on broadcast digital TV signals. The parties agreed on how to approach this and the FCC is working on a rule to mandate the agreement.

These negotiations must continue and resolve these peer-to-peer issues. Copyright piracy is one of the most serious economic problems facing this Committee. As the whole world knows by now, we have absolutely rampant piracy over the Internet. Consumers have grown accustomed to free music on the Web; movies and video games are not far behind.

In the meantime, I believe that one potential solution is for an institution not to monitor student activity on the Internet, but to warn students when a third-party, typically the recording industry, notifies the university of an alleged transgression. The student is then asked to remove the offending conduct and to stop the file-sharing.

I think that it is critical that higher education institutions set forth policies that foster open-mindedness and critical inquiry. I also believe that network monitoring has the potential to stifle the creativity and academic freedom among students that must thrive in educational settings.

There is no doubt in my mind we are at a crossroads in the content business. The decisions we make this year in Congress, the state legislatures, and the courts will have an impact on the future of the content industry, and whether we will even have a viable content industry in the future.